

REMARKS

This preliminary amendment is submitted simultaneous with the filing of a Rule 53(b) continuation of pending Application Serial No. 09/250,711, filed February 16, 1999 (now under appeal), which is a continuation of Application Serial No. 08/372,620, filed January 13, 1995 (Now U.S. Patent No. 5,873,072), which is a continuation of Application Serial No. 07/736,071, filed July 25, 1991 (Now U.S. Patent No. 5,383,113).

The title and abstract are amended to better reflect the invention to which the present application is directed.

As originally filed, the grandparent '711 application (a copy of which is filed herewith) included claims 1-33. Claims 1-33 are canceled and new claims 34-55 are added by this preliminary amendment.

Claims 34-55, as presented in this application, are directed to a novel and unobvious technique for risk based selection of the type of debiting of the payer's deposit account in connection with the making requested payments on the payer's behave, as disclosed in the original specification. No new matter is added.


It should be noted that grandparent Application Serial No. 08/372,620, filed January 13, 1995 (Now U.S. Patent No. 5,873,072), and great grandparent Application Serial No. 07/736,071, filed July 25, 1991 (Now U.S. Patent No. 5,383,113), are also directed to risk based selection of debiting. Furthermore, these prior applications may have included claims of similar scope to those of the present application which were rejected by another examiner during their examination. Additionally, concurrently filed related Application Serial No. _____, filed October 30, 2003 (Attorney Docket: 3350-031A-RF) is directed to selection of the debiting type. It is respectfully requested

that to the extent such application is examined by other than the Examiner assigned to the present application, the Examiner coordinate with the Examiner of this other related pending application regarding the relevant prior art and basis for rejection/allowance.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed local telephone number, in order to expedite resolution of any remaining issues and further to expedite passage of the application to issue, if any further comments, questions or suggestions arise in connection with the application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 01-2135 and please credit any excess fees to such deposit account.

Respectfully submitted,
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